

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

LA CUNA DE AZTLAN SACRED  
SITES PROTECTION CIRCLE  
ADVISORY COMMITTEE;  
CALIFORNIANS FOR RENEWABLE  
ENERGY; ALFREDO ACOSTA  
FIGUEROA; PHILLIP SMITH;  
PATRICIA FIGUEROA; RONALD  
VAN FLEET; CATHERINE OHRIN-  
GREIPP, RUDY MARTINEZ  
MACIAS, and GILBERT LEIVAS.

## Plaintiffs.

V.

UNITED STATES DEPARTMENT  
OF THE INTERIOR; KEN  
SALAZAR, in the official capacity of  
Secretary of the United States  
Department of the Interior; UNITED  
STATES BUREAU OF LAND  
MANAGEMENT; ROBERT ABBEY,  
in the official capacity of Director of  
the United States Bureau of Land  
Management; TERI RAML, in the  
official capacity of District Manager of  
the California Desert District of the  
United States Bureau of Land  
Management; JOHN KALISH, in the  
official capacity of Field Manager of  
the Palm Spring South Coast Field

Case No. 5:11-cv-01478-GW-SS

**[PROPOSED] ORDER GRANTING  
GENESIS SOLAR LLC'S MOTION  
TO RECOVER FEES AND COSTS  
INCURRED IN THE PREVIOUSLY  
DISMISSED ACTION AND  
STAYING THE PROCEEDING**

**[FRCP 41(d)]**

Date: February 9, 2012  
Time: 8:30 a.m.  
Courtroom: 10  
Judge: Hon. George H. Wu

[*Notice of Motion and Motion;  
Memorandum of Points and Authorities;  
and Declaration of Kristopher S. Davis,  
filed concurrently herewith*] 

1 Office of the United States Bureau of  
2 Land Management; UNITED STATES  
3 DEPARTMENT OF ENERGY;  
4 STEVEN CHU, in the official capacity  
5 of Secretary of the United States  
6 Department of Energy; UNITED  
7 STATES TREASURY; TIMOTHY F.  
8 GEITHNER, in the official capacity of  
9 Secretary of the United States  
10 Treasury; FEDERAL FINANCING  
11 BANK; and GENESIS SOLAR LLC,

12 Defendants.

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1 On February 9, 2012, at 8:30 a.m., in Courtroom 10 of the above-entitled  
2 court, located at 312 North Spring Street, Los Angeles, California 90012,  
3 Defendant Genesis Solar LLC’s (“Genesis Solar”) Motion to Recover Fees and  
4 Costs Incurred in the Previously Dismissed Action and Stay the Proceeding  
5 pursuant to Federal Rule of Civil Procedure 41(d) came for hearing. All parties  
6 were given notice and an opportunity to be heard, and each party was represented at  
7 the hearing by its counsel of record. Having reviewed all of the papers and  
8 admissible evidence filed in support of and in opposition to the motion and for good  
9 cause appearing:

10           **IT IS HEREBY ORDERED THAT** Genesis Solar's Motion is  
11           **GRANTED**. It is further **ORDERED** that Genesis Solar shall recover fees and  
12           costs in the amount of \$ \_\_\_\_\_ from the Plaintiffs. It is further  
13           **ORDERED** that this case is stayed in its entirety until the Plaintiffs have complied  
14           with this Order.

## 15 || IT IS SO ORDERED.

18 || Dated:

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Honorable George H. Wu  
United States District Court Judge

21 || Respectfully submitted,

22 DRINKER BIDDLE & REATH LLP  
1800 Century Park East, Suite 1400  
23 Los Angeles, California 90067-1517  
24 Tel: (310) 203-4000  
Fax: (310) 229-1285

26 By: /s/ George T. Caplan  
27 George T. Caplan  
Attorneys for Defendant  
GENESIS SOLAR LLC

**CERTIFICATE OF SERVICE**

**STATE OF CALIFORNIA, COUNTY OF LOS ANGELES**

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action. My business address is Drinker Biddle & Reath LLP, 1800 Century Park East, Suite 1400, Los Angeles, California 90067.

On November 21, 2011, I served the foregoing document described as:  
**[PROPOSED] ORDER GRANTING GENESIS SOLAR LLC'S MOTION TO  
RECOVER FEES AND COSTS INCURRED IN THE PREVIOUSLY DISMISSED  
ACTION AND STAYING THE PROCEEDING** on the interested parties in this action by transmitting a copy as follows:

**SEE ATTACHED SERVICE LIST**

**By ELECTRONIC FILING** (I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to counsel denoted on the attached Service List.)

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By PERSONAL SERVICE

12 \_\_\_\_\_ by personally delivering such envelope to the addressee.

13 \_\_\_\_\_ by causing such envelope to be delivered by messenger to the office of the  
addressee.

14 \_\_\_\_\_  
15 **By UNITED STATES MAIL** (I am readily familiar with the firm's practice of  
16 collection and processing correspondence for mailing. Under that practice it would be  
17 deposited with U.S. Postal Service on that same day with postage thereon fully prepaid  
at Los Angeles, California in the ordinary course of business. I am aware that on  
motion of the party served, service is presumed invalid if postal cancellation date or  
postage meter date is more than one day after date of deposit for mailing in affidavit.)

18 **By OVERNIGHT DELIVERY** (by causing such envelope to be delivered to the office  
19 of the addressee by overnight delivery via Federal Express or by other similar overnight  
delivery service.)

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**By FAX TRANSMISSION**

\_\_\_\_ By E-MAIL OR ELECTRONIC TRANSMISSION

22 \_\_\_\_\_ (State) I declare under penalty of perjury under the laws of the State of California that  
the above is true and correct.

23 X (Federal) I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Executed on **November 21, 2011**, at Los Angeles, California.

Name

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**Signature**

/s/ Shanta Teekah

1 **SERVICE LIST**

2 *La Cuna De Aztlán Sacred Sites Protection Circle Advisory Committee, et al.*  
3 *v. United States Department of the Interior, et al.*  
4 *USDC Case No. 5:11-cv-01478-GW-SS*

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